

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	No. 3:07-cr-150
V.)	(VARLAN/SHIRLEY)
)	
)	
HERBERT DWAYNE CALDWELL)	

ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO BAIL REFORM ACT

An initial appearance and arraignment were held in this case on August 12, 2008 on Petition for Action on Conditions of Pretrial Release. Matthew Morris, Assistant United States Attorney, was present representing the government, and Kim Tollison, Federal Defender was present representing the defendant. Upon motion of the government for detention stating he is a danger and a risk of flight and pursuant to 18 U.S.C. Section 3142, it is ordered that a detention hearing be scheduled. Mr. Tollison requested that he be given additional time to prepare for the hearing. Therefore, a detention hearing is scheduled for **Thursday, August 14, at 3:30 p.m.**, before the undersigned.

For good cause shown, the defendant's request not to contest, and to waive the detention hearing is hereby **GRANTED**.

It is therefore **ORDERED** that:

- (1) Defendant be detained.;
- (2) Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to

the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

- (3) Defendant be afforded reasonable opportunity for private consultation with counsel; and
- (4) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with any court proceeding.

IT IS SO ORDERED.

ENTERED:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge